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PATENT APPLICATION

ATTORNEY DOCKET NO. 10001605-1IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Garth Schmelling

Confirmation No.: 3838

Application No.: 09/784,116

Examiner: Chai, Longbit

Filing Date: 2/14/2001

Group Art Unit: 2131

Title: SYSTEM AND METHOD FOR PROVIDING CUSTOMIZED SECURE ACCESS TO SHARED DOCUMENTS

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on May 11, 2006.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:☒ 1st Month
\$120☐ 2nd Month
\$450☐ 3rd Month
\$1020☐ 4th Month
\$1590☐ The extension fee has already been filed in this application.☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.Please charge to Deposit Account 08-2025 the sum of \$ 620. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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Respectfully submitted,

Garth Schmelling

By 

Jack H. McKinney

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Reg No.: 45,685

Date: August 7, 2006

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Rev 10/05 (AppBref)

08/08/2006 MBIZUNES 00000034 082025 09784116
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Date of Transmission: August 7, 2006Typed or printed name: Jack H. McKinneySignature: **PATENT APPLICATION**
DOCKET NO. 10001605-1**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****INVENTOR(S): Garth F. Schmelling****SERIAL NO.: 09/784,116****GROUP ART UNIT: 2131****FILED: February 14, 2001****EXAMINER: Chai, Longbit****SUBJECT: SYSTEM AND METHOD FOR PROVIDING CUSTOMIZED SECURE
ACCESS TO SHARED DOCUMENTS****APPELLANTS'/APPLICANTS' OPENING BRIEF ON APPEAL****1. REAL PARTY IN INTEREST.**

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holding, LLC.

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2. RELATED APPEALS AND INTERFERENCES.

There are no other appeals or interferences known to Appellants, Appellants' legal representative or the Assignee which will affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

3. STATUS OF CLAIMS.

Claims 1-5, 7-10, 12, 13, 15, 16, 18, 22, 23, 27, 29, 30, 34, and 35 are pending and stand rejected. All pending claims are appealed.

4. STATUS OF AMENDMENTS.

No amendments have been filed after the final action was been entered. All previous amendments, if any, have been entered.

5. SUMMARY OF CLAIMED SUBJECT MATTER.

Claim 1 recites a method for sharing data that includes receiving, from a user of a client, a request for data from a server. See, e.g., Specification, page 5, lines 20-26. Access rights for the user are obtained. See, e.g., Specification, page 5, line 27- through page 6, line 2. The method also includes downloading to the client the access rights, the data, and an applet, the applet being operable to customize a display of the data by the client according to the access rights. See, e.g., Specification, page 6, lines 8-11.

Claim 13 recites a document management system that includes a server and an agent. See, e.g., Figure 1 and Specification, page 5, lines 20-26. The server is for providing data from a document stored in a folder and is operable to receive, from a user of a client, a request for the data. See, e.g., Specification, page 3, line 26 through page 4, line 7. The agent is associated with the older and is operable to obtain access rights for the user and to cause the server to download to the client the access rights, the data, and an applet. See, e.g., Specification, page 3, line 26 through page 4, line 7. The applet is operable to customize a display of the data by the client according to the access rights. See, e.g., Specification, page 4, lines 8-19.

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6. GROUNDS FOR REJECTION TO BE REVIEWED.

A. Claims 1-5, 7-10, 12, 13, 15, 16, 18, 22, 23, 27, 29, 30, 34, and 35 were rejected under Section 103 as being unpatentable over USPN 6,253,193 issued to Ginter in view of USNP 6,105,027 issued to Schneider.

B. Claims 15 and 30 were rejected under 35 USC § 103 as being unpatentable over USPN 6,253,193 issued to Ginter in view of USNP 6,105,027 issued to Schneider in view of US Pub 2001/0042124 to Barron.

C. Claims 22, 27, 29, and 34 were rejected under 35 USC § 103 as being unpatentable over USPN 6,253,193 issued to Ginter in view of USNP 6,105,027 issued to Schneider in view of USNP 6,937,726 issued to Wang.

7. ARGUMENT.

A. Ground for Rejection A – Claims 1-5, 7-10, 12, 13, 15, 16, 18, 22, 23, 27, 29, 30, 34, and 35 were rejected under Section 103 as being unpatentable over USPN 6,253,193 issued to Ginter in view of USNP 6,105,027 issue to Schneider.

Claim 1 directed to a method for sharing data and recites the following acts:

1. receiving, from a user of a client, a request for data from a server;
2. obtaining access rights for the user; and
3. downloading to the client the access rights, the data, and an applet, the applet being operable to customize a display of the data by the client according to the access rights.

The Examiner asserts that Ginter teaches downloading access rights and data to a client but admits that Ginter fails to teach downloading an applet to a client where that applet is operable to customize a display of the downloaded data by the client according to the downloaded access rights. The Examiner attempts to remedy this deficiency citing Schneider. That attempt is flawed.

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The Examiner asserts that Schneider, col. 27, lines 41-51 teach an applet that is downloaded to a client and operable to customize a display of the data by the client according to access rights also downloaded to the client. Specifically, the Examiner states

[T]he broadest and reasonable interpretations of claim limitations are made to meet the claim language and the claim limitation "the applet being operable to customize a display of the data by the client according to the access rights" is interpreted as the applet makes the display and generate a view specific to the customer based upon the user's resource access right in the following ways: Schneider teaches when applet making the display, if the resource has a hyperlink, the hyperlink is included in the list; if it is a resource for which the user presently does not have access, but to which the user may request access, the list includes the name and email address of the administrator for the resource (Schneider: Column 27 Line 41 - 51).

The Examiner's reliance on Schneider is misplaced. A cursory review of the passage cited by the Examiner reveals that Schneider's applet does not customize a display. Schneider's applet simply requests, on behalf of a user, information from a proxy operating remotely from the applet. See Schneider, col. 27, lines 26-28. The proxy, not the applet, customizes or "filters" the requested information according to the user groups to which the user belongs and returns the filtered information to the applet. Schneider, col. 27, lines 32-41. The applet then uses the filtered information it received from the proxy to make a display. Schneider, col. 27, lines 41-42. In making the display, the applet applies any filters specified in the request made on behalf of the user. Schneider, col. 27, lines 42-44. In this manner, the display made by the applet using the information filtered by the remote proxy indicates the resources available to the user and an address to request those resources not available to the user. Schneider, col. 27, lines 44-51.

As made clear above, Claim 1 recites that the applet that is downloaded to the client with the access rights and the data is responsible for customizing a display of the data according to the access rights. Schneider's applet does not customize the display. Schneider's applet simply (1) makes a request for information, (2) receives the information in response to the request, and (3) makes a display using the received information and any filters specified in the request. Consequently, Schneider's applet

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is not operable to customize a display of the data by the client according to the access rights in the manner specified by Claim 1.

For at least this reason, Claim 1 is patentable over those references as are Claims 2-5, 7-10, 12, 22, 23, and 27 which depend from Claim 1.

Claim 13 is directed to a document management system and recited the following elements:

1. a server for providing data from a document stored in a folder, the server operable to receive, from a user of a client, a request for the data;
2. an agent associated with said folder, the agent operable to obtain access rights for the user and to cause the server to download to the client the access rights, the data, and an applet, the applet being operable to customize a display of the data by the client according to the access rights.

Again, Ginter and Schneider fail to teach an agent that is operable to cause a server to download to the client the access rights, the data, and an applet where that applet is operable to customize a display of the data by the client according to the access rights. For at least this reason, Claim 13 is patentable over those references as are Claims 15, 16, 18, 29, 30, 34, and 35 which depend from Claim 13.

B. Ground for Rejection B – Claims 15 and 30 were rejected under 35 USC § 103 as being unpatentable over USPN 6,253,193 Issued to Ginter in view of USNP 6,105,027 issued to Schneider in view of US Pub 2001/0042124 to Barron.

Claims 15 and 30 depend from Claim 13 and include all the limitations of that base Claim. For the same reasons Claim 13 is patentable, so are Claims 15 and 30.

C. Ground for Rejection C – Claims 22, 27, 29, and 34 were rejected under 35 USC § 103 as being unpatentable over USPN 6,253,193 Issued to Ginter in view of USNP 6,105,027 issued to Schneider in view of USPN 6,937,726 issued to Wang.

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Claims 22, 27, 29, and 34 depend from Claim 13 and include all the limitations of that base Claim. For the same reasons Claim 13 is patentable, so are Claims 12, 27, 29, and 34.

B. CONCLUSION

Claims 1-5, 7-10, 12, 13, 15, 16, 18, 22, 23, 27, 29, 30, 34, and 35 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,

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August 7, 2006

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APPENDIX OF CLAIMS INVOLVED IN THE APPEAL

1. (previously presented) A method for sharing data including the steps of:
receiving, from a user of a client, a request for data from a server;
obtaining access rights for the user; and
downloading to the client the access rights, the data, and an applet, the applet
being operable to customize a display of the data by the client according to the access
rights.
2. (previously presented) The invention of Claim 1 further comprising verifying
that the user has access rights for the data.
3. (previously presented) The invention of Claim 2 wherein the step of verifying
includes the step of authenticating a digital signature.
4. (previously presented) The invention of Claim 2 wherein the step of verifying
includes the step of authenticating a private key.
5. (previously presented) The invention of Claim 2 wherein the step of verifying
includes the step of authenticating a public key.
6. (cancelled)
7. (previously presented) The invention of Claim 1 further including the step of
allowing modification of the data according to the access rights.
8. (original) The invention of Claim 1 further including the step of tracking
changes in said document.
9. (original) The invention of Claim 1 further including the step of tracking access
of said document.

10. (original) The invention of Claim 1 further including the step of tracking submission of documents.

11. (cancelled).

12. (previously presented) The invention of Claim 1 further including the step of the applet causing the client to display a view of the data for the user, the view being customized according to the access rights.

13. (Previously presented) A document management system comprising:
a server for providing data from a document stored in a folder, the server operable to receive, from a user of a client, a request for the data;
an agent associated with said folder, the agent operable to obtain access rights for the user and to cause the server to download to the client the access rights, the data, and an applet, the applet being operable to customize a display of the data by the client according to the access rights.

14. (canceled)

15. (previously presented) The invention of Claim 13 wherein the agent is operable to encrypt the data and the access rights and the applet is operable to decrypt the data and the access rights.

16. (previously presented) The invention of Claim 13, further comprising means for allowing modification of the data according to the access rights.

17. (cancelled)

18. (previously presented) The invention of Claim 13 further including means for verifying a user's identity before the agent causes the server to download the data to the client.

19. (cancelled)

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20. (Canceled)

21. (cancelled)

22. (previously presented) The method of Claim 1 wherein downloading includes downloading the accesses rights and the data with a session key, wherein the access rights and the data have been encrypted with the session key and the session key has been encrypted with a public key for the user.

23. (previously presented) The method of Claim 22 wherein the applet is operable to decrypt the session key with a private key for the user and to decrypt the data and the access rights with the decrypted session key.

24-26. (cancelled)

27. (previously presented) The method of Claim 22 further comprising randomly generating the session key.

28. (cancelled)

29. (previously presented) The invention of Claim 13, further comprising means for encrypting the data and the access rights with a session key and means for encrypting the session key with a public key for the user, and wherein the agent is operable to cause the server to download the encrypted session key to the client along with the applet, the encrypted access rights, and the encrypted data.

30. (currently amended) The invention of Claim ~~28~~ 29, wherein the applet is operable to decrypt the session key with a private key for the user and to decrypt the data and the access rights with the decrypted session key.

31-33 (cancelled)

34. (previously presented) The invention of Claim 29 further including means for randomly generating said session key.

35. (previously presented) The invention of Claim 13 wherein said access rights are stored in a database.

Evidence Appendix

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.